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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,534	01/15/2002	Brian A. Urbach	TRW(M)5857	4987
26294	7590	12/01/2003	EXAMINER	
TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 526 SUPERIOR AVENUE, SUITE 1111 CLEVEVLAND, OH 44114			GARCIA, ERNESTO	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,534

Applicant(s)

URBACH, BRIAN A.

Examiner

Ernesto Garcia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawing corrections were received on 9/16/03. These drawings are acceptable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Stroh, 6,257,795 (see marked-up attachment).

Regarding claim 1, Stroh discloses in Figure 3 an apparatus comprising a first suspension member 1, a second suspension member 2, a socket A8, a one-piece stud 10, and a fastener 11.

The second suspension member **2** has a through hole **8** with a first tapered surface **13** and a second tapered surface **15**. The first tapered surface **13** defines a first end **A5** and the second tapered surface **15** defines a second end **A7** of the through hole **8**. The first tapered surface **13** and the second tapered surface **15** converge toward a center **A20** of the second suspension member **2**. A cylindrical surface **A21** is interposed between the first tapered surface **13** and the second tapered surface **15** and defines a central portion **A22** of the through hole **8**.

The socket **A8** is connected with the first suspension member **1**.

The stud **10** has a first end portion **A10** and a second end portion **7**.

The socket **A8** supports the first end portion **A10** in the socket **A8**.

The second end portion **7** projects from the socket **A8** and completely through the through hole **8**. The second end portion **7** has a third tapered surface **12** in engagement with the first tapered surface **13**.

The fastener **11** is secured to the second end portion **7**. The fastener **11** has a fourth tapered surface **15** in engagement with the second tapered surface **15** of the second suspension member **2**. The second end portion **7** extends completely through the fastener **11**.

The socket **A8** and the stud **10** support the first suspension member **1**. Applicant is reminded that the fastener **11** causes the first tapered surface **13** and the third tapered surface **12** to be pressed together, and the second tapered surface **15** and the fourth tapered surface **15** to be pressed together to secure the second suspension member **2** relative to the second end portion **7** of the stud **10**. Furthermore, applicant is

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reminded that the examiner has taken the broadest interpretation of tapered surface according to the definition of the tenth edition of Merriam-Webster's Collegiate Dictionary. Tapered: 1: to become progressively smaller toward one end 2: to diminish gradually.

Regarding claim 2, the stud 10 has a longitudinal central axis A15 on which the third tapered surface 12 is centered. The third tapered surface 12 of the stud 10 extends at a first angle A23 to the central axis A15. The first tapered surface 13 and the second tapered surface 15 of the second suspension member 2 extend at the first angle A23 relative to the central axis A15.

Regarding claim 3, the fourth tapered surface 15 on the fastener 11 extends at the first angle A23 relative to the central axis A15 when the fastener 11 is secured to the second end portion 7 of the stud 10.

Regarding claim 4, the third tapered surface 12 extends at a 45 degree angle to the central axis A15. Applicant is reminded that the third tapered surface 12 extends from 0 to 90 degrees and 45 degrees is one of the angles in between.

Regarding claim 5, the fastener 11 is a nut and the second end portion 7 of the stud 10 has a threaded end portion (col. 2, lines 47-49).

Regarding claims 6 and 8, the second end portion 7 of the stud 10 has a cylindrical portion A24 extending from the third tapered surface 12 of the stud 10 in a direction away from the first end portion A10 of the stud 10. The cylindrical portion A24 has a diameter A25 smaller than a smallest diameter A26 of the third tapered surface 12 of the stud 10. The cylindrical portion A24 of the second end portion 7 of the stud 10 is spaced away from and extends parallel to the cylindrical surface A21 of the second suspension member 2 when the cylindrical surface A21 is in abutting engagement with the first tapered surface 13.

Regarding claim 7, the stud 10 has a longitudinal central axis A15 on which the third tapered surface 12 is centered. The third tapered surface 12 of the stud 10 extends at a first angle A23 to the central axis A15. The first tapered surface 13 and the second tapered surface 15 of the second suspension member 2 extend at the first angle A23 relative to the central axis A15. The fourth tapered surface 15 extends at the first angle A23 to the central axis A15 when the fastener 11 is secured to the second end portion 7 of the stud 10. The fastener 11 is a nut and the second end portion 7 of the stud 10 has a threaded end portion (col. 2, lines 47-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stroh, 6,257,795, in view of Pazdireck et al., 6,505,989.

Regarding claim 9, Stroh, as discussed above, discloses the second end portion 7 of the stud 10 includes a terminal end A27. The terminal end A27 is located on a side A28 of the fastener 11 opposite the first end portion A10 when the fastener 11 is secured to the second end portion 7 of the stud 10. However, Stroh fails to disclose the terminal end A27 having a hexagonal configuration. Pazdireck et al. teach in Figure 2 a terminal end having a hexagonal configuration (see Fig. 1 from the top view). Pazdireck do not elaborate on this feature. It appears however, that the hexagonal configuration prevents the stud from being rotated in the through hole when a fastener is fastened to a threaded portion of the stud. Therefore, as taught by Pazdirek et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the terminal end have the hexagonal configuration to prevent the stud from slipping in the through hole when the fastener is fastened to the stud.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 703-308-8606. The examiner can normally be reached from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703-308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.


Lynne H. Browne
Supervisory Patent Examiner
Technology Center 3600

E.G.

November 21, 2003

Attachment: one marked-up copy of Stroh, 6,257,795.

